

107TH CONGRESS  
1ST SESSION

# H. R. 252

To establish a dependent care assistance program for Federal employees.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 30, 2001

Mr. GILMAN (for himself and Mrs. MCCARTHY of New York) introduced the following bill; which was referred to the Committee on Government Reform

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## A BILL

To establish a dependent care assistance program for Federal employees.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. DEPENDENT CARE ASSISTANCE PROGRAM FOR**  
4               **FEDERAL EMPLOYEES.**

5       Subpart G of part III of title 5, United States Code,  
6 is amended by inserting after chapter 87 the following:

7               **“CHAPTER 88—DEPENDENT CARE**  
8               **ASSISTANCE PROGRAM**

9       **“§ 8801. Definitions**

10       “(a) For the purpose of this chapter, ‘employee’  
11 means—

1           “(1) an employee as defined by section 2105 of  
2       this title;

3           “(2) a Member of Congress as defined by sec-  
4       tion 2106 of this title;

5           “(3) a Congressional employee as defined by  
6       section 2107 of this title;

7           “(4) the President;

8           “(5) a justice or judge of the United States ap-  
9       pointed to hold office during good behavior (i) who  
10      is in regular active judicial service, or (ii) who is re-  
11      tired from regular active service under section  
12      371(b) or 372(a) of title 28, United States Code, or  
13      (iii) who has resigned the judicial office under sec-  
14      tion 371(a) of title 28 with the continued right dur-  
15      ing the remainder of his lifetime to receive the sal-  
16      ary of the office at the time of his resignation;

17          “(6) an individual first employed by the govern-  
18      ment of the District of Columbia before October 1,  
19      1987;

20          “(7) an individual employed by Gallaudet Col-  
21      lege;

22          “(8) an individual employed by a county com-  
23      mittee established under section 590h(b) of title 16;

24          “(9) an individual appointed to a position on  
25      the office staff of a former President under section

1 1(b) of the Act of August 25, 1958 (72 Stat. 838);  
2 and

3 “(10) an individual appointed to a position on  
4 the office staff of a former President, or a former  
5 Vice President under section 4 of the Presidential  
6 Transition Act of 1963, as amended (78 Stat. 153),  
7 who immediately before the date of such appoint-  
8 ment was an employee as defined under any other  
9 paragraph of this subsection;

10 but does not include—

11 “(A) an employee of a corporation supervised  
12 by the Farm Credit Administration if private inter-  
13 ests elect or appoint a member of the board of direc-  
14 tors;

15 “(B) an individual who is not a citizen or na-  
16 tional of the United States and whose permanent  
17 duty station is outside the United States, unless the  
18 individual was an employee for the purpose of this  
19 chapter on September 30, 1979, by reason of service  
20 in an Executive agency, the United States Postal  
21 Service, or the Smithsonian Institution in the area  
22 which was then known as the Canal Zone; or

23 “(C) an employee excluded by regulation of the  
24 Office of Personnel Management under section  
25 8716(b) of this title.

1       “(b) For the purpose of this chapter, ‘dependent care  
2 assistance program’ has the meaning given such term by  
3 section 129(d) of the Internal Revenue Code of 1986.

4       **“§ 8802. Dependent care assistance program**

5       “The Office of Personnel Management shall establish  
6 and maintain a dependent care assistance program for the  
7 benefit of employees.”.

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